GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps – Surprise check conducted on 10.03.2008 by the Anti Corruption Bureau on the allegation of corruption against Sri V.Gowthamayya, former Shroff (now Retd), O/o the Sub Registrar, Patamata, Vijayawada and another –Departmental action initiated – Regular Enquiry Officer appointed – Enquiry Report communicated - Representation received – Show Cause Notice Issued – Representation received - Imposition of Punishment of 5% cut in pension for a period of one year - Orders - Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No:531 **Dated:05-06-2015.**
Read the following:

1) Radio Message from the DSP, ACB, Vijayawada Range, Vijayawada C.No.2/SC-ACB-VJA/08, dt:11-3-2008.
2) DG, ACB Lr.Rc.No.014/DES-VKI/2008-S9, dt:5-6-2008.
3) Govt., Memo.No.17808/Vig.VI(1)/2008-1, dt:15-10-2008
4) DIG, R&S, Vijayawada Memo.No.E1/247/2008, dt:18-11-2008.
5) Dated acknowledgement of Sri V.Gowthamaiah, former Shroff, SRO, Patamata (now Retired)
6) Govt., Memo.No.17808/Vig.VI(1)/2008-3, dt:5-6-2010
7) Govt.Memo.No.17808/Vig.VI (1)/2008-4, dt:20.07.2010
8) DIG, R&S, Vijayawada Procs.No.E1/174/2010, dt:3-3-2011 (Appointment of REO)
9) Govt. Memo.No.17808/Vig.VI (1)/2008-6, dt 19.11.2012.
10) DIG, R&S, Vijayawada Lr.No.E1/2470/2008, dt:17-2-2014 along with enquiry report.
11) Govt., Memo.No.17808/Vig.II(1)/2008-7, dt:18-8-2014.
12) DIG, R&S, Vijayawada Lr.No.E1/247/2008, dt:10-9-2014 along with representations of Sri V.Gowthamaiah, Shroff (Retd) and another.
13) G.O.Rt.No.979, Rev (Vig.II) Deptt.,dt:10-11-2014.
14) Govt., Memo.No.17808/Vig.II(1)/2008-8, dt:10-11-2014.
15) Govt., Memo.No.17808/Vig.II(1)/2008-9, dt:20-2-2015.
16) DIG, R&S, Vijayawada Lr.No.E1/247/2008, dt:4-3-2015 along with dated acknowledgement of served copy of SCN dt:10-11-2014.
17) Govt., Lr.No.17808/Vig.II(1)/2008-10, dt:24-4-2015.
18) APPSC Lr.No.427/RT/1/2015, dt:25-5-2015.

@@@

ORDER:

Whereas, in the reference 1st read above, it has been brought to the notice of the Government that on credible information, that the Sub Registrar, Sub Registrar Office, Patamata, Vijayawada and his staff were indulged in corrupt practices and collecting amounts other than legal remuneration from the parties for registering their documents, a surprise check had been conducted over the O/o the Sub Registrar, Patamata, Vijayawada by the Anti Corruption Bureau authorities on 10-3-2008 and found certain irregularities.

Contd…p..2

2. In the reference 2nd read above, the Director General, Anti Corruption Bureau had furnished report and recommended to initiate departmental action against Sri V.Gowthamayya, former Shroff (Retd), Sub Registrar Office, Patamata, Vijayawada among other besides transfer to a far off non focal post.

3. In the reference 3rd read above, Government after examination of the matter have directed the Commissioner & Inspector General, Registration & Stamps, to initiate departmental action against Sri V.Gowthamayya, former Shroff, Sub Registrar Office, Patamata, Vijayawada and another.

4. In the reference 4th read above, the Deputy Inspector General, Registration & Stamps, Vijayawada had framed the following charge against Sri V.Gowthamayya, former Shroff, Sub Registrar Office, Patamata (Retd) and another duly calling explanation.

Charge:

> That he while discharging his duty at the time of surprise check on 10-03-2008, an amount of Rs.56,190/- was found in his cash box, which was collected from the parties through the private document writers to remit the same in State Bank of India, Governorpet, Vijayawada, which actually has to be remitted by the concerned parties and thus violated Andhra Pradesh Civil Services (Conduct) Rules, 1964.

5. The Charged Officer received the Article of Charges on 20.11.2008 through the Deputy Inspector General, Registration & Stamps, Vijayawada. But, he has not submitted any Written Statement of Defense. Subsequently, the Deputy Inspector General, Registration & Stamps, Vijayawada had appointed District Registrar, Machilipatnam as Regular Enquiry Officer in the reference 8th read above.

6. In the reference 10th read above, the Regular Enquiry Officer submitted Inquiry report and hold that the charge held partly proved against Sri V.Gowthamayya, former Shroff, Sub Rregistrar Office, Patamata, Vijayawada (Retd).

7. Government have examined the matter and communicated the Regular Enquiry Officer report to the Charged Officer Sri V.Gowthamayya, former Shroff, Sub Registrar Office, Patamata (Retd) with a direction to submit his representation if any within 15 days on the findings of Regular Enquiry Officer in the reference 11th read abvoe.

8. In the reference 12th read above the Charged Officer Sri V.Gowthamayya, former Shroff (Retd) submitted representation through the Deputy Inspector General, Registration & Stamps, Vijayawada. The Charged Officer in his representation while citing certain court judgments and among others has mainly stated that the Regular Enquiry Officer has not confined himself to the charge leveled against him, but has gone beyond the charge and gave findings for which reasonable opportunity has not been afforded to him to defend the same and stated that such findings of the Regular Enquiry Officer as regards the part of the charge held to be proved by the Regular Enquiry Officer are not clear and definite and such report can be assailed on the ground of recording contradictory findings and requested the Government to consider his submissions on humanitarian grounds and drop further action on the charge leveled against him and exonerate him from the same in the interest of justice.

Contd…p…3

9. Government have examined the matter in detail and observed that the CO had committed irregularity in collecting cash from the parties which should have been remitted by them in the bank. Further, it is observed that though, the intention of the Charged Officer may be bonafide, Government cannot overlook such irregularity since such practice can lead to rampant corruption. It is also observed that Sri V.Gowthamayya, former Shroff, who retired from the service and there was no misappropriation of public money involved in this case, it is provisionally decided to award a punishment of 5 % cut in pension for one year in respect of Sri V.Gowthamayya, Shroff (Retd) for the charge held partly proved against him.

10. Sri V.Gowthamayya, former Shroff (Retd) was therefore directed to show cause as to why the proposed punishment should not be imposed against him under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 within 15 days of the receipt of Show Cause Notice.

11. In the reference 16th read above, the Deputy Inspector General, Registration & Stamps, Vijayawada has furnished only dated acknowledgement of the served copy of Show Cause Notice. The Charged Officer has not submitted any representation to the Show Cause Notice within time limit prescribed in the Show Cause Notice.

12. Therefore, Government after detailed examination of the matter, have decided to confirm the provisional decision i.e., to impose a penalty of 5% cut in pension for a period of one year under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 against the Charged Officer Sri V.Gowthamayya, former Shroff (Retd) as the charge held partly proved.

13. The Andhra Pradesh Public Service Commission agreed with the proposal of the Government in the reference 18th read above (copy enclosed).

14. Accordingly, Government, hereby order to impose a punishment of 5% cut in pension for a period of one year against Sri V.Gowthamayya, former Shroff (Retd), Office of the Sub Registrar, Patamata, Vijayawada.

15. The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad / Deputy Inspector General, Registration & Stamps, Vijayawada, Krishna District shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Director & Inspector General, Registration & Stamps,
Andhra Pradesh, Hyderabad.
The Deputy Inspector General, Registration & Stamps, Vijayawada.
The Individual (w.e) (***through the DIG, R&S, Vijayawada***)
Copy to :
The Secretary to the Vigilance Commissioner,
A.P. Vigilance Commission, A.P., Hyderabad
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad
The Director General, Anti-Corruption Bureau, A.P., Hyderabad
SF / SC

//FORWARDED:: BY ORDER//

SECTION OFFICER